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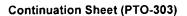
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/977,777	10/15/2001	Cynthia M. Merkin	16356.662 (DC-03303)	16356.662 (DC-03303) 3763	
27683	7590 11/06/2006		EXAMINER		
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100			GLASS, RU	GLASS, RUSSELL S .	
DALLAS, TX	•		ART UNIT	PAPER NUMBER	
			3626	3626	
			DATE MAILED: 11/06/2006	DATE MAILED: 11/06/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

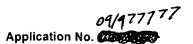
## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
09/977,777	MERKIN ET AL.		
Examiner	Art Unit		
Russell S. Glass	3626		

	Russell S. Glass	3626				
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress			
THE REPLY FILED 09 October 2006 FAILS TO PLACE THIS A	PPLICATION IN CONDITION FOR	RALLOWANCE.				
1.  The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	the same day as filing a Notice of ving replies: (1) an amendment, aff tice of Appeal (with appeal fee) in o	Appeal. To avoid aba idavit, or other evider compliance with 37 Cl	rce, which FR 41.31; or (3)			
a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or to TWO MONTHS OF THE FINAL REJECTION. See MPEP 76	dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE 06.07(f).	g date of the final rejecti E FIRST REPLY WAS F	on. ILED WITHIN			
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL						
<ol> <li>The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed</li> </ol>	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th				
AMENDMENTS  3. ☑ The proposed amendment(s) filed after a final rejection,  (a) ☑ They raise new issues that would require further co  (b) ☐ They raise the issue of new matter (see NOTE belo	nsideration and/or search (see NO w);	TE below);				
<ul> <li>(c) ∑ They are not deemed to place the application in befappeal; and/or</li> <li>(d) ☐ They present additional claims without canceling a</li> </ul>			the issues for			
NOTE: (See 37 CFR 1.116 and 41.33(a)).						
4. The amendments are not in compliance with 37 CFR 1.1		mpliant Amendment	(PTOL-324).			
<ul> <li>5. Applicant's reply has overcome the following rejection(s)</li> <li>6. Newly proposed or amended claim(s) would be all non-allowable claim(s).</li> </ul>		timely filed amendme	ent canceling the			
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is protected. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: <a href="mailto:none">none</a> . Claim(s) objected to: <a href="mailto:none">none</a> . Claim(s) withdrawn from consideration: <a href="mailto:none">none</a> .		II be entered and an e	explanation of			
AFFIDAVIT OR OTHER EVIDENCE						
<ol> <li>The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).</li> </ol>						
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar	overcome all rejections under appe	al and/or appellant fa	ils to provide a			
10. The affidavit or other evidence is entered. An explanation	n of the status of the claims after e	ntry is below or attacl	ned.			
REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  See Continuation Sheet.						
<ul><li>12. ☐ Note the attached Information Disclosure Statement(s).</li><li>13. ☐ Other:</li></ul>	(PTO/SB/08) Paper No(s)					
	C. LUKE GILLIGAN PATENT EXAMINER					



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## Continuation of 11. Other:

- 1.The newly added features of "the request including type, revision and serial number of each field replaceable unit (FRU) in the configuration" and "the fee being based in part on the FRUs" is a shift in the scope of the claim that requires further search and consideration.
- 2. Applicant argues features that have not been entered as of the present communication
- 3. Applicant's other arguments merely rehash issues addressed in Final Rejection filed on 8/8/2006 and incorporated therein. Thus, the finality of the previous Office Action is maintained.